

**Remarks**

Claims 1-40, 48-61, 68-74 and 78-81 are pending.

Claims 1 and 48 have been amended to particularly point out and distinctly claim Applicants' invention.

Claims 2, 60 and 78 have been rewritten in independent form. Since independent Claims 41, 82 and 86 have been canceled, it is submitted that no fee is due. Alternatively, if it is determined that any fee is due, then we request that it be charged to our Deposit Account No. 02-2556. A duplicate copy of this page, the first page and the signature page of this Amendment are enclosed.

Claim 8 has been amended to correct an informality.

Claim 35 has been amended to be consistent with the amendment to Claim 1.

Claims 41-47, 62-67, 75-77 and 82-86 have been canceled, without prejudice.

A Petition for a One-Month Extension of Time and duplicate copy thereof accompany this Amendment.

**REJECTIONS UNDER 35 U.S.C. § 102(b)**

The Examiner rejects Claims 1, 6, 7, 16, 18, 19, 21-31, 33-40, 48-56, 59 and 78-81 on the ground of being anticipated by U.S. Patent No. 5,406,557 (Baudoin).

Baudoin (Abstract, ll. 3-8; col. 3, ll. 20-42) discloses the pre-selection of a single universal format:

The input modules connect to a first end user and convert[] a message sent by the first end user into a universal format. The hub core queues the message and forwards it to the output module for conversion into the format of the destination user.

\* \* \*

Each of the internal communications modules 16 converts message and information data between a "universal" format and protocol internal to hub 14 and the protocol and format used by the associated piece of communications equipment. For example, timesharing computer 4 may be using an IBM PROFS.RTM. E-mail protocol. The PROFS software is an E-mail protocol developed by IBM and other E-Mail protocols developed by other vendors may be incompatible with the PROFS software. A message sent from timesharing computer 4 is converted from the PROFS protocol to the universal format used within hub 14 by internal communications module 16c.

Hub 14 looks at the destination address for the message received from timesharing computer 4 and routes that message to the appropriate external communications module 18. External

communications module 18 converts the universal format message into the specific message format and protocol required by the end user. For example, if the message from timesharing computer 4 is destined for another entity 20, internal communications module 18d converts the message into the protocol required by entity 20.

Claim 1, as amended, recites that at least one of the transformation servers is adapted to receive the request for transformation of data, ***select*** at least one ***intermediate data format from a plurality of different intermediate data formats*** and select at least one intermediate data transformation from the first data format to the selected at least one intermediate data format and a final data transformation from a final one of the selected at least one intermediate data format to the second data format.

Baudoin, which pre-selects a single universal format, teaches away from selecting at least one intermediate data format from a plurality of different intermediate data formats. Hence, the reference does not teach or suggest any transformation server being adapted to receive a request for transformation of data, select at least one intermediate data format from a plurality of different intermediate data formats and select at least one intermediate data transformation from a first data format to the selected at least one intermediate data format and a final data transformation from a final one of the selected at least one intermediate data format to a second data format. Hence, Claim 1 patentably distinguishes over the reference.

Claims 6, 7, 16, 18, 19, 21-31, 33-40 depend directly or indirectly from Claim 1 and patentably distinguish over the reference for at least the same reasons.

Claim 48 is an independent claim, which as amended, recites ***selecting*** at least one ***intermediate data format from a plurality of different intermediate data formats***; selecting at least one intermediate data transformation from the first data format to the selected at least one intermediate data format; and selecting a final data transformation from a final one of the selected at least one intermediate data format to the second data format.

Baudoin, which pre-selects a single universal format, teaches away from selecting at least one intermediate data format from a plurality of different intermediate data formats. Hence, the reference does not teach or suggest selecting at least one intermediate data format from a plurality of different intermediate data formats; selecting at least one intermediate data transformation from a first data format to the selected at least one intermediate data format; and selecting a final data transformation from a final one of the selected at least one intermediate data format to a second data format. Hence, Claim 48 patentably distinguishes over the reference.

Claims 49-56, 59 and 79-81 depend directly or indirectly from Claim 48 and patentably distinguish over the reference for at least the same reasons.

Claim 78 has been rewritten in independent form to include the limitations of original Claim 48. Claim 78 further recites employing a file of voice data; employing a unique identifier, which identifies a person, application or device which originated the voice data; including the file of voice data and the unique identifier with the request for transformation of data; accessing a voice profile based upon the unique identifier; and employing the voice profile to convert the file of voice data to text data.

Baudoin (col. 5, ll. 5-11) discloses that the hub software can also include functions providing the conversion of E-mail messages to voicemail messages. Other software than that listed in Tables 2 and 3 may be used. In addition, not all of the features listed in Table 3 are needed. Also, Baudoin (col. 8, ll. 9-21) discloses that, optionally, the hub 430 can support voice access to messages. If Joe is away on business when Erin's e-mail reply arrives, Joe can phone a number which connects him to an additional module of the hub 430. This additional module can ask Joe, through a succession of voice prompts, to identify himself through a touch-tone keypad. The hub 430 can retrieve Erin's e-mail message from the message queue and encode it into a voice message using techniques of voice synthesis well known to those of skill in the art. Tables 2 and 3 of the reference disclose DEC's DECTalk, for voice access to messages -- Software and hardware to provide a voice rendition of a text message. Without any further disclosure, the reference purports (col. 8, ll. 23-38) that an unspecified external communication module can be used to convert the voicemail or faxmail message to the format required by the destination user.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

Baudoin, which mainly deals with conversion of messages to voicemail messages, and which purports that an unspecified external communication module converts voicemail to a desired format without any further disclosure, does not teach or suggest the refined recital of employing a unique identifier, which identifies a person, application or device which originated voice data; including a file of voice data and such unique identifier with a request for transformation of data; accessing a voice profile based upon such unique identifier; and employing such voice profile to convert such file of voice data to text data. Hence, Claim 78 patentably distinguishes over the reference.

**REJECTIONS UNDER 35 U.S.C. § 103(a)**

The Examiner rejects Claim 17 on the ground of being unpatentable over Baudoin.

Claim 17 depends from Claim 1 and patentably distinguishes over the reference for at least the same reasons.

**Objections to the Claims**

The Examiner states that Claims 2-5, 8-15, 20, 32, 57, 58, 60, 61 and 68-74 are objected to as depending from a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Claims 2 and 60 have been rewritten in independent form including the limitations of the corresponding base claim. Hence, it is submitted that Claims 2 and 60 are in condition for allowance. Claim 3 depends from Claim 2 and is also in condition for allowance.

Claims 4, 5, 8-15, 20 and 32 depend directly or indirectly from Claim 1. Since the rejection of Claim 1 under Section 102(b) has been dealt with, it is submitted Claims 4, 5, 8-15, 20 and 32 are in proper form for allowance.

Claims 57, 58, 61 and 68-74 depend directly or indirectly from Claim 48. Since the rejection of Claim 48 under Section 102(b) has been dealt with, it is submitted Claims 57, 58, 61 and 68-74 are in proper form for allowance.

**Summary and Conclusion**

The prior art made of record and not relied upon but considered pertinent to Applicants' disclosure has been reviewed<sup>1</sup>. In summary, it is submitted that Claims 1-40, 48-61, 68-74 and 78-81 are patentable over the references of record.

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<sup>1</sup> It is noted that the Notice of References Cited (Form PTO-892) only cites Baudoin.

Reconsideration and early allowance are requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kirk D. Houser', with a horizontal line extending to the right.

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